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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On

30 Oct. 2006

TOWNSEND and TOWNSEND and CREW LLP

By:

Malinda Adajit

PATENT

Attorney Docket No.: 015280-257300US

Client Ref. No.: E-148-1998/1-US-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

George Pavlakis

Application No.: 10/644,027

Filed: August 19, 2003

For: MOLECULAR CLONES WITH  
MUTATED HIV GAG/POL, SIV GAG  
AND SIV ENV GENES

Customer No.: 45115

Confirmation No. 5339

Examiner: Jeffrey S. Parkin, Ph.D.

Technology Center/Art Unit: 1648

RESPONSE TO RESTRICTION  
REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 29, 2006, please enter the following amendments and remarks. Enclosed herewith is a petition with fee authorization for a three-month extension of time. Also enclosed is a Supplemental ADS submitted to make of record the correct Correspondence and Representative Customer Numbers.

In response to the restriction requirement, Applicant elects Group I, claims 3 and 5-11.

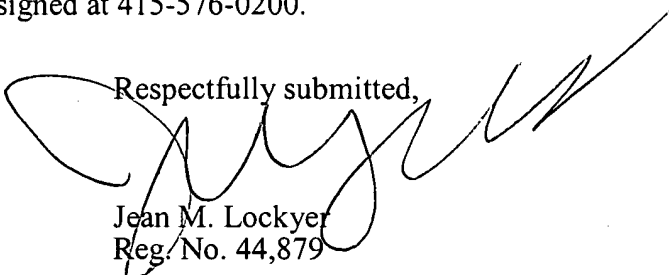
Appl. No. 10/644,027  
Amdt. dated October 30, 2006  
Reply to Office Action of June 29, 2006

PATENT

The foregoing election is made with traverse. According to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. See, the MPEP at § 803.01. The claims set forth in Groups I-III stem from a common concept and theory. Thus, a proper search of the subject matter of Group I would likely identify art related to Groups I-III. Accordingly, the search would not place an undue burden on the Examiner. Applicants therefore request reconsideration of the restriction requirement.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Jean M. Lockyer  
Reg. No. 44,879

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